IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

CR 97-76-RE CV 05-982-RE

VS.

OPINION AND ORDER

RICHARD DALTON GANOE,

Defendant.

Karin J. Immergut United States Attorney Fredric N. Weinhouse Assistant United States Attorney 1000 S.W. Third Avenue, Suite 600 Portland, Oregon 97204

Attorney for Plaintiff

Michael Levine 400 S.W. Sixth Avenue, Suite 600 Portland, Oregon 97204

Attorney for Defendant

REDDEN, Judge:

The matter before the court is defendant Richard Dalton Ganoe's motion under 28 U.S.C. § 2255 (§ 2255 motion) to vacate and set aside his conviction and sentence.

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